

AFFIDAVIT

I, Aaron J. Arnfeld, having been duly sworn, hereby depose and state as follows:

1. I am a Special Agent employed by the United States Department of State's Diplomatic Security Service ("DSS"), and have been so employed since November 1999. As part of my official duties, I am assigned to investigate persons who have provided or included false information in passport applications and persons who possess or produce fraudulent or altered passports, visas, permits, border crossing cards and alien registration cards.

2. The information set forth in this affidavit is based upon my investigation as well as information provided by the Massachusetts State Police, the Framingham Police Department and other law enforcement officials as set forth below. In submitting this affidavit, however, I have not included each and every fact known to me about the investigation, but only those facts that I believe are sufficient to establish probable cause in support of a criminal complaint charging Claudio Muniz Pereira a/k/a Adriano Rezende Dos Santos (hereinafter "Pereira") with the following crimes: fraudulent possession of identification documents and information with intent to defraud the United

States, in violation of Title 18, United States Code, Section 1028(a)(4); and possession of counterfeit visas, permits and other documents, in violation of Title 18, United States Code, Section 1546(a).

3. Massachusetts State Trooper William Bond has been investigating fraudulent procurement of drivers' licenses at the Massachusetts Registry of Motor Vehicles ("RMV") office in Framingham, Massachusetts and other RMV branch offices for the past several years. Trooper Bond has reported widespread use by Brazilian nationals of counterfeit United States visas (both the "Boroughs" ink stamp-style and the machine readable 2000-style), and foreign passports, in their attempts to obtain Massachusetts drivers' licenses. Other documents presented by these individuals to the RMV offices have included counterfeit I-94 entry/exit documents provided to foreign nationals upon their arrival into the United States by U.S. Customs and Border Protection (and prior to March 1, 2003, by the former Immigration and Naturalization Service), and fraudulent Social Security Administration denial letters.¹ These documents have

¹ Denial letters are issued to non-U.S. citizens who are determined not to be eligible for assignment of a Social Security account number, but who are otherwise lawfully in the United States and who may be eligible to receive certain benefits and privileges from the federal, state or local

enabled many Brazilians, who have either entered the U.S. illegally or have overstayed their B1/B2 visas², to successfully obtain Massachusetts drivers' licenses. Through source interviews, Trooper Bond learned that an individual named "Claudio" has provided foreign nationals with false identity documents and has assisted them in the application for and acquisition of Massachusetts drivers' licenses while using such fraudulent identity documents.

4. At approximately noon on April 28, 2004, Pereira was stopped on Union Avenue near the intersection with Procter Street in Framingham, Massachusetts when a motorcycle police officer observed that the black Honda Civic (Massachusetts license plate number 1046YN) Pereira was driving had a broken taillight. Framingham Police Officer Victor Pereira³ asked Pereira to produce his driver's license, but Pereira was unable to do so. Pereira

government. For instance, spouses and dependents of certain categories of foreign workers are persons to whom denial letters could be issued. The Massachusetts RMV accepts denial letters as evidence of lawful residence within the Commonwealth and as supporting eligibility to take the written and driving tests required for issuance of a driver's license.

² B-1 visas are provided to temporary visitors for business. B-2 visas are provided to temporary visitors for pleasure.

³ Officer Pereira is not related to the Defendant.

gave Officer Pereira a passport from Brazil in the name of Adriano Rezende Dos Santos with a birth date in May 1974, and a place of birth of Porto Da Folha, Brazil. The passport contained a purported machine readable U.S. visa and a purported I-94 entry card, both in the name of Adriano Dos Santos. Pereira also told the officer that his name was Adriano Dos Santos.

5. Officer Pereira arrested Pereira for driving without a license, and directed that the automobile be impounded. At the police station, Officer Pereira determined Pereira's true name was Claudio Muniz Pereira, and that a default warrant had been issued based on Pereira's failure to appear in court on a prior motor vehicle charge. Officer Pereira charged Pereira with operating a motor vehicle while his license was suspended, in violation of M.G.L. ch. 90, § 23; giving a false name to a police officer, in violation of M.G.L. ch. 90, § 25; and for having a defective brake light, in violation of M.G.L. ch. 90, § 7.

6. Also on April 28, 2004, your affiant examined the Brazilian passport in the name of Dos Santos that Pereira had given to Officer Pereira at the time of the traffic stop. Based on that examination, my training and

experience, and a check of the purported visa control and foil numbers associated with the purported visa contained in that passport, I have determined that the purported visa and purported I-94 entry card are counterfeit. I have also seen Pereira in person. Based upon a comparison of the Dos Santos visa photograph with Pereira, I believe that the person depicted in the Dos Santos visa photograph is Pereira. The search of Pereira revealed several other identity documents, including two Brazilian drivers' licenses and a "Visa Classification Code Chart" with multiple immigration entry stamps stamped on the back side of the paper in red ink, and hand written instructions in Portuguese on enhancing digital photographs.

7. During a custodial interview, Pereira was read his *Miranda* rights in Portuguese and waived his rights on two separate occasions. Pereira admitted to using the false passport for the purpose of obtaining work within the United States. Pereira stated that he had illegally entered the United States approximately 2½ years ago through Mexico by paying an alien smuggler approximately \$8,000.00. He further admitted to assisting an individual he identified only as "Ricardo" who produces fraudulent identification documents. Pereira stated that Ricardo would pay Pereira

approximately \$300.00 each time he transported a client to and from an RMV office and assisted the client in the process of obtaining a Massachusetts driver's license. Pereira stated that Ricardo would provide the documents to Pereira, and in his presence would assemble the fraudulent document packages.

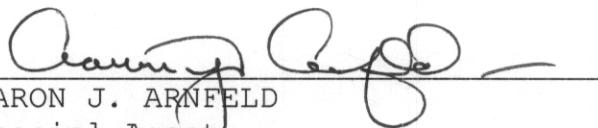
8. During an inventory search of the vehicle driven by Pereira at the time of his arrest, the Framingham Police Department, assisted by the Massachusetts State Police, found several instruments involved in the production of counterfeit documents, including: a digital camera; a paper shredder; a red ink stamping kit; and various paper stock. The police officers also found counterfeit I-94 cards, Brazilian birth certificates, and counterfeit U.S. visas inside the vehicle. The search also uncovered a passport purportedly issued by Uruguay which contained a purported U.S. visa and a purported I-94 card. I subsequently examined the purported visa and purported I-94 card and determined them both to be counterfeit. During the interview, Pereira stated that he owned the vehicle, but that it was registered in the name of his girlfriend.

9. Based on my training and experience in fraudulent document investigations, I am familiar with the tools,

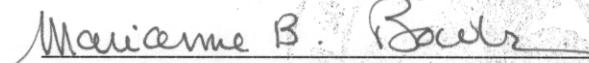
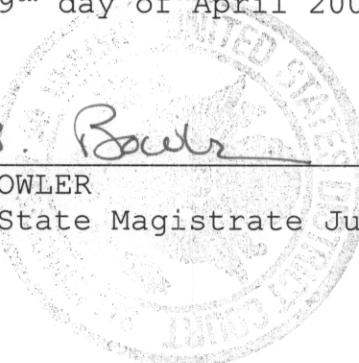
equipment and materials necessary for the manufacture of counterfeit resident alien cards, social security cards, visas and passports. I am aware that the common types of tools, equipment and materials used in the manufacturing of those documents include the following: a computer, a computer printer, a computer document scanner, a typewriter, plastic laminate, a sealing mechanism, ink pads, blank alien registration cards and blank social security cards.

10. Based on the preceding information, I believe that probable cause exists to conclude that Claudio Muniz Pereira did knowingly possess a false identification document with the intent to defraud the United States; to wit, a Brazilian passport containing a fraudulent U.S. visa and fraudulent I-94 card, all in the name Adriano Rezende Dos Santos, in violation of 18 U.S.C. § 1028(a)(4); and did knowingly utter, use, attempt to use, possess, obtain, accept or receive non-immigrant visas for entry into, or evidence of authorized stay or employment, in the United States, knowing such visas to be forged, counterfeited, altered, or falsely made, or to have been otherwise procured

by fraud or unlawfully obtained, all in violation of 18
U.S.C. § 1546(a).


AARON J. ARNFELD
Special Agent
Diplomatic Security Service
U.S. Department of State

Sworn and subscribed to me this 29th day of April 2004.



MARIANNE B. BOWLER
Chief United States Magistrate Judge